

REMARKS

By this amendment, applicants have amended pages 2 and 11 of the specification to correct typographical errors. Claim 3 has been amended to be in independent form by including therein all of the limitations of claim 1, from which claim 3 previously depended. Claim 1 has been amended to more clearly define applicants' invention and, in particular, to clarify that the bi-products result from degradation of the catalyst and that the extraction means extracts the essentially liquid fraction F from a layer situated between the liquid solvent and the liquid sulfur. Claims 5 - 7 have been amended to eliminate the indefiniteness problems noted by the Examiner.

In view of the amendment to page 2, line 3 of the specification, reconsideration and withdrawal of the objection to the disclosure in numbered section 1 of the office action are requested.

In view of the foregoing amendments to claims 5 - 7, it is submitted all of the claims now in the application comply with the requirements of 35 USC 112, second paragraph. Therefore, reconsideration and withdrawal of the rejection of claims 5 - 7 under 35 USC 112, second paragraph, in numbered sections 2 - 11 of the office action are requested.

Claims 1, 2, 4 and 6 - 9 stand rejected under 35 USC 102(b) as allegedly being anticipated by International Publication No. WO 97/00266. Applicants traverse this rejection and request reconsideration thereof.

The document WO 97/00226 concerns the processing of a gas containing H_2S and SO_2 . The H_2S and SO_2 react together in presence of catalyst in order to be transformed in elemental sulfur S. This document does not mention the by-product generated by the degradation of the catalyst. Contrary to the present invention, the

document WO 97/00226 does not propose to use means for extracting a liquid comprising solid by-products from a layer situated between the liquid solvent and the liquid sulfur in the separation zone. Therefore, the document WO 97/00226 does not disclose and would not have suggested the presently claimed invention.

Claim 5 stands rejected under 35 USC 103(a) as being unpatentable over WO 97/00226 in view of United States Patent No. 2,881,047 to Townsend. Applicants traverse this rejection and request reconsideration thereof.

The patent to Townsend has been cited only for allegedly teaching a means to control the liquid level in the bottom of a reactor. However, clearly nothing in Townsend would have remedied the basic deficiency noted above with respect to WO 97/00226. Accordingly, claim 5 is patentable over the proposed combination of references, at least for the reasons noted above.

Claims 1, 2, 4, 6 and 9 stand rejected under 35 USC 102(b) as allegedly being anticipated by United States Patent No. 4,387,037 to Trentham et al. Applicants traverse this rejection and request reconsideration thereof.

The Trentham et al patent concerns a solvent for absorption of SO₂. The aim of the process described in reference with Figure 1 is to absorb the SO₂ contained in the stream 9 (see, col. 6, lines 35 to 59). Therefore, the process disclosed by the document is clearly different from our invention (reaction of H₂S with SO₂ in presence of catalyst in order to form S).

Further, Trentham et al does not propose to use catalyst and, consequently, does not mention the by-products generated by the degradation of a catalyst. Contrary to the present invention, this patent does not propose to use means for extracting a liquid comprising solid by-products from a layer situated between the liquid solvent and the liquid sulfur in a separation zone. Herefore, the Trentham et al

patent does not disclose and would not have suggested the presently claimed invention.

Applicants note the indication of allowable subject matter in claim 3. In view of the foregoing amendments rewriting claim 3 in independent form, it is submitted claim 3 should be allowed. While the Examiner indicates claim 3 would be allowable if rewritten to overcome the rejection under 35 USC 112, second paragraph, it is noted claim 3 was not rejected under 35 USC 112, second paragraph, and is believed to satisfy the requirements of 35 USC 112, second paragraph.

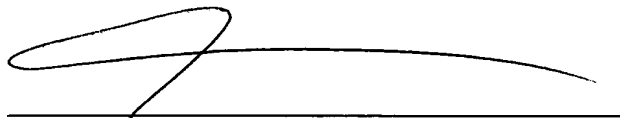
Applicants note the Examiner has cited a number of documents as being pertinent to applicants' disclosure. However, since these documents were not applied in rejecting claims formerly in the application, further discussion of these documents is deemed unnecessary.

In view of the foregoing amendments and remarks, favorable reconsideration and allowance of the subject application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 612.37608VX1), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read 'Alan E. Schiavelli', is written over a horizontal line.

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